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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/647,957	08/26/2003	James L. Cairns	2686-PA28	3610
27111	7590	09/21/2004	EXAMINER	
GORDON & REES LLP 101 WEST BROADWAY SUITE 1600 SAN DIEGO, CA 92101			ABRAMS, NEIL	
			ART UNIT	PAPER NUMBER
			2839	

DATE MAILED: 09/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/647,957	<b>Applicant(s)</b> CAIRNS	
	<b>Examiner</b> Neil Abrams	<b>Art Unit</b> 2839	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-51 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10, 16-27, 29-32, 38-40, 42 and 45-51 <sup>33 to 37</sup> is/are rejected.
- 7) ☒ Claim(s) 11-15, 28, 41, 43 and 44 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |  |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____  |

Abstract, reference to use of "resilient latches" and a "slidable retention sleeve" and to use of a "fluid filled hose with bellows type portions" should be added.

Claim 10, line 1 should read – member is – claims 17, 48, should "detent" be – indent – the term used in spec.

Claims 1-5, 7, 8, 9, 18, 23, 24, 38, 39, 49-51 are rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Fussell.

Fig. 1 note first module 35, second module 16, coupling member 31, sealed to 36 at 37 and to <sup>be</sup> sealed and locked by seal 26 in groove 45 to form a sealed, locked chamber at 41. Term seal means or seal member does not define over sealing region at 31. Should issues arise, recited features deemed obvious variations.

Claims 1-10, 16-27, 29-32, 38-40, 42, 45-51 are rejected under 35 U.S.C. 103(a) as being unpatentable over Herrmann in view of McGeary, Macnamara, Holt and Brown.

Herrman figs. 1, 2 system includes first and second modules 12, 14, coupling member 54 with seal 62 but lacks a second seal to form a closed chamber. McGeary discloses a similar system with a seal 124 (122) between a contact body and a slidable sleeve. Obvious to add such a type seal to Herrmann at 50 or in that vicinity, to enable better sealing. While seal 62 adequate should the matter be at issue, also obvious to form 14 with an outer shell and extra seal in view of McGeary at 48, 58 (fig. 1) to further improve sealing. Claims 1-4, 6-9, 16-18 clearly met by references so combined. For claim 5, use of two seals 62 and (124, 122) at each position on Hermann part 12 would be obvious way to increase sealing. For claim 10, etc obvious to form sleeve 54 rear

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portion with detents in view of Holt at 238, 134 and Macnamara at 96, 102, 100 to enable the sleeve to remain in ~~sealed~~<sup>selected</sup> position.

For claims 19-22, obvious to form basic Herrmann system with one or more optical contacts instead of electrical in view of Brown and to mount one connector to a bulkhead in view of Brown at 22, and McNamara at 32. Claims 23-27, 29-32, 38-40, 42, 45-51 all met by Herrmann, as modified above.

Claim 29, Herrmann with retention members near 36 and seal near 50 would meet claim language.

Claims 1-10, 16-27, 29-32, 38-40, 42, 45-51 are rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over McGeary alone or taken in view of MacNamara, Holt and Brown.

McGeary, figs. 1, 2 includes modules at 16, 68, coupling member 98, 110, locking means 56, 103 and seals 58 and 124 (122) whereby a locked and sealed chamber is formed, fig. 5. For claim 5, obvious to use two seals at each single seal position. For claims 10, 19-22, 29, etc, obvious to modify McGeary in same manner as discussed above in view of Macnamara, Holt and Brown and for claim 24 and to use plural contacts in view of Brown and MacNamara.

Claims 33-37 are rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over O'Brien alone or in view of Herrmann Cramer and Booty.

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O'Brien system includes connectors 12, 14, cable wires 18 and a fluid filled hose 10 with fluid surrounding the cable. Should issues arise recited features considered obvious variations.

For claim 37, obvious to use connectors of type shown by Herrmann at 12 for easy connection and disconnection. For claims 34, 35, 36 obvious to use corrugated cover for cable in view of Cramer and Booty, fig. 11. Such cover would inherently be collapsible to aid bending.

Claim 34, reference to "expose ends" do not define structural aspect.


Claims 35, 36 do not define over use of corrugations as in Cramer and Booty-Cramer teachings are also seen to be fully applicable to electrical conduits.

Claims 11-15, 28, 41, 43, 44 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Any inquiry concerning this communication should be directed to Neil Abrams at telephone number (571)272-2089.

Abrams/ds

09/16/04

  
NEIL ABRAMS  
EXAMINER  
ART UNIT 322